

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAKE THE ROAD NEW YORK, AFRICAN
SERVICES COMMITTEE, ASIAN AMERICAN
FEDERATION, CATHOLIC CHARITIES
COMMUNITY SERVICES (ARCHDIOCESE
OF NEW YORK), and CATHOLIC LEGAL
IMMIGRATION NETWORK, INC.,

Plaintiffs,

- against -

KEN CUCCINELLI, in his official capacity as
Acting Director of United States Citizenship and
Immigration Services; UNITED STATES
CITIZENSHIP & IMMIGRATION SERVICES;
KEVIN K. McALEENAN, in his official capacity
as Acting Secretary of Homeland Security; and
UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Defendants.

Case No. 1:19-cv-07993

NOTICE OF MOTION

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 65 and
5 U.S.C. § 705, and upon the accompanying Declarations of Robert J. O'Loughlin, Leighton Ku,
Diane Whitmore Schanzenbach, Ryan Allen, Jennifer van Hook, Kim Nichols, Jo-Ann Yoo,
C. Mario Russell, Theo Oshiro, Charles Wheeler, Haeyoung Yoon, and the exhibits annexed
thereto, plaintiffs, by their undersigned attorneys, will move this Court, on a date and at a time to
be determined by the Court, at Courtroom 11A, Daniel Patrick Moynihan United States
Courthouse, 500 Pearl St., New York, NY 10007-1312, for an order, pending a final judgment in
this action, (i) preliminarily enjoining defendants from implementing a rule promulgated by the
Department of Homeland Security titled Inadmissibility on Public Charge Grounds, 84 Fed. Reg.
41,292 (Aug. 14, 2019) (to be codified at 8 C.F.R. pts. 103, 212, 213, 214, 245, 248) (the

“Rule”), or taking any actions to enforce or apply it; (ii) postponing the effective date of the Rule; and (iii) such additional relief as the Court considers just.

Dated: New York, New York
September 9, 2019

By: /s/ Jonathan H. Hurwitz

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